

Subject: HPK/2024/0467 - Environmental Health Consultation#
Date: 17 December 2024 15:01:39

Hi Rosie

Application number	HPK/2024/0467	Application type	Full Planning - Small-scale MAJOR apps
Site address	LAND WEST OF , Buxton Road , Dove Holes , Derbyshire ,	Proposal	Battery Energy Storage System and associated works.

ADVICE TO LPA:

The Environmental Health Department has no objection to the proposed development subject to the conditions set out below being applied to any permission granted. Noise from battery energy storage solutions (BESS) are an emerging issue, and little is known about the potential effects at the moment. The application includes a noise assessment within the submission, and this may be accepted:

- 24 Acoustics, "Noise Assessment" (ref: R10732-1 Rev1), dated 5 September 2024

The report suggests that with mitigation, noise at nearby residential premises will be acceptable, with a rating level not exceeding 32dB LAeq outside premises. This represents a night-time (23:00 to 07:00) increase of 3dB to 2dB above background outside 78 Buxton Road, and Peak House respectively. This is a marginal increase above what are relatively low levels of sound in the neighbourhood. Low frequency noise from all plant is predicted to be lower than the threshold of hearing.

Mitigation consists of a barrier with a minimum superficial weight of 15 kg/m² with a minimum height of 2.4 m above local ground level, and the location of this is presented in Fig 3 within the report.

Figures 6 and 7 within the report appendix, illustrate predicted noise levels within the wider community and Planning should consider the noise impact on the wider environment with a general loss of amenity close to the development. This has the potential to sanitise a wider area to future development. A limit of 50dB may be considered as protecting the wider area, with regards to community noise.

CONDITIONS:

1. Noise Mitigation

Prior to the development hereby approved, being brought into use, noise mitigation shall be employed at the site. This shall be no less effective than the predictions and design outlined within the submitted noise assessment (24 Acoustics, "Noise Assessment" (ref: R10732-1 Rev1), dated 5 September 2024).

2. LGD05 - Artificial Lighting (external)

To restrict the intensity of the illumination on either or both amenity/public safety grounds:

Any artificial lighting associated with the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

A lighting scheme demonstrating compliance with these requirements shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development

NOTE: you may want to consider compliance with Environmental Zone – E1 (Intrinsically dark areas) for visual amenity. Planning officers call.

Advisory Note/ Informative:

0. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

1. A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements:
<http://www.hse.gov.uk/>
2. Any approved noise scheme and measurements should pay due regard to the Professional Guidance on Planning and Noise (ProPG), British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 + A1: 2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance
3. During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
4. If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>
 - Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
 - The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become an "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
 - Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
 - During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
 - The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.
 - High Peak Borough Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

Matthew Rhodes

Environmental Health Officer (Pollution and Environment)

High Peak Borough Council and Staffordshire Moorlands District Council

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